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Letter dated 8 November 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit information on measures taken by the Russian Federation to improve immigration and other legislation so as to create favourable conditions for work by highly skilled foreign experts. Significant changes have recently been made in Russian immigration policy to simplify immigration procedures for foreign nationals entering the territory of the Russian Federation in order to work. In particular, a new category has been created — "highly skilled foreign experts" — which grants special status and most favourable conditions for them to enter the Russian Federation and subsequently work and live in our country. The attached information gives the gist of these new arrangements, on which work is continuing with close contacts between Russian and foreign bodies and agencies in the official, business and social spheres.

I should be grateful if you would arrange for this information to be circulated as a document of the sixty-fifth session of the General Assembly under agenda item 22 (c).

(*Signed*) Vitaly **Churkin**
Permanent Representative

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Annex to the letter dated 8 November 2010 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information on measures taken by the Russian Federation to improve immigration and other legislation so as to create favourable conditions for work by highly skilled foreign experts

On 1 July 2010, changes to Federal Act No. 115 of 25 July 2002 on the legal status of foreign nationals in the Russian Federation entered into force. They had been introduced by Federal Act N. 86 of 19 May 2010 on changes to the Federal Act on the legal status of foreign nationals in the Russian Federation and to certain legislative acts of the Russian Federation.

The most important new features are that highly skilled experts invited to work in the Russian Federation now enjoy a special status and that Russian work providers are authorized themselves to determine the level of skills of such workers.

The gist of the new arrangements is as follows.

Foreign nationals with work experience, know-how or achievements in a specific area of activity are recognized to be highly skilled experts, if the terms on which they are hired to perform work in the Russian Federation specify that their wages (remuneration) will be at least two million roubles a year.

Providers or requesters of work (services) make an independent evaluation of the competence and level of skills of foreign nationals whom they wish to recruit as highly skilled experts and assume the corresponding risks.

Foreign nationals recruited to work in the Russian Federation as highly skilled experts acquire the right:

to be exempt from the quotas for inviting foreign nationals to enter the Russian Federation in order to perform work and for issuing work permits to foreign nationals;

to perform work under a work permit issued to them for the duration of a labour contract or of a civil law contract for the performance of work (provision of services) concluded with the provider or requester of work (services) that invited them, for a period not exceeding three years. The work permit may be renewed several times within the period of validity of the labour contract or civil law contract for the performance of work (provision of services);

to obtain a work permit valid in the territories of other component entities of the Russian Federation, if the labour contract or civil law contract for the performance of work (provision of services) specifies that they must perform work in the territory of two or more component entities of the Russian Federation;

to apply for a residence permit for themselves and the members of their family for the duration of the labour contract or civil law contract for the performance of work (provision of services) by means of a written statement to the Federal Migration Service (FMS Russia);

to obtain a work permit from FMS Russia or, if there is an FMS office or representative in the State of which the highly skilled expert is a national, from that office or representative;

to personally declare themselves to be highly skilled experts, after submitting to the FMS office in the State of which they are nationals or to the diplomatic mission or consular service of the Russian Federation an application containing information confirming their work experience, know-how and achievements in a specific area of activity and their agreement to the inclusion of such information in databanks concerning performance of work by foreign nationals and to the submission of such information to potential providers or requesters of work (services) in the territory of the Russian Federation. In this case, the information provided by the foreign national is posted on the website of the Federal Migration Service;

to receive, after the information has been posted on the FMS Russia website, an ordinary business visa valid for 30 days for entry into the Russian Federation for the purpose of holding discussions with the provider or requester of work (services) and concluding a labour contract or civil law contract to perform work (provide services). An ordinary business visa is issued to a highly skilled expert who has received from the provider or requester of work (services) a written offer to enter the Russian Federation in order to hold related discussions.

In addition, highly skilled experts are subject to the same tax regime as residents of the Russian Federation: in the territory of the Russian Federation, they enjoy a favourable tax rate (13 per cent) as if they were Russian nationals.